

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

LUIS A. LASTRA CALDERÓN and
YANIRA ROSARIO HUERTAS

Plaintiffs

v.

PRIMEFLIGHT AVIATION SERVICES,
INC.; FRONTIER AIRLINES, INC.;
RODRIGO CALAPAQUI; PAOLA TORRES;
ASEGURADORAS ABC and XYZ

Defendants

CIVIL NO. 22-01559 (SCC)

**MOTION FOR EXTENSION OF TIME TO RESPOND TO CODEFENDANT PAOLA
TORRES’ “MOTION TO DISMISS” AT DOCKET NO. 2**

TO THE HONORABLE COURT:

COME NOW Plaintiffs through the undersigned attorney, and very respectfully state and
pray:

- 1) On November 15, 2022, the Puerto Rico Court of First Instance, San Juan Superior Part, Civil No. SJ2022CV09135 entered default against codefendants Frontier Airlines, Inc. (“Frontier”) and Paola Torres (“Torres”) for their nonappearance within the statutory deadline.
- 2) Instead of appearing before the state court, as the other codefendants timely did, on November 23, 2022, Frontier and Torres removed from state court the captioned case alleging diversity of citizenship pursuant to the doctrine of fraudulent joinder; hence, automatically suspending all procedures in the state court. (Docket No. 1.)
- 3) On same date, codefendant Torres filed a *Motion to Dismiss*. (Docket No. 2.)

4) Plaintiffs respectfully request that this Honorable Court grant them until December 27, 2022 to file their response to Torres' *Motion to Dismiss*. The extension requested is done in good faith and will not cause undue prejudice to the parties. From the onset, codefendants Primeflight Aviation Services, Inc. and Rodrigo Calapagui have yet to make an appearance in the captioned case. In addition, the undersigned needs the extension requested in order to properly address the arguments raised by Torres in her *Motion to Dismiss*.

WHEREFORE, Plaintiffs respectfully request from this Honorable Court to grant their extension of time until December 27, 2022, to file their response to codefendant Torres' Motion to Dismiss.

RESPECTFULLY SUBMITTED.

I hereby certify that today I have electronically filed this motion with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all attorneys of record.

In San Juan, Puerto Rico, this 7th day of December, 2022.

s/Jessica A. Figueroa Arce
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